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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/180,943 11/18/98 NOZAKI

M AD-6506

IM62/0622  
E I DU PONT DE NEMOURS & COMPANY  
LEGAL PATENTS  
WILMINGTON DE 19898

EXAMINER

RAJGURU, U

ART UNIT

PAPER NUMBER

1711

DATE MAILED:

06/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on Dec 17, 1999 (paper no 6)
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1, 2 & 4 is/are pending in the application.
- ☐ Of the above claim(s) is/are withdrawn from consideration.
- ☐ Claim(s) is/are allowed.
- ☒ Claim(s) 1, 2 & 4 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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1. A request for extension of time and an amendment have been filed on December 17, 1999 (paper # has 5 & 6 resp.).

2. Submitted abstract is acceptable.

WKR Rejection of claim 3 is moot since the said claim <sup>is</sup> ~~is~~ now cancelled.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al (USP 5710216) or Desio et al (USP 5436294) each in view of Paschke et al (USP 5292805). (Desio & Paschke are cited in earlier office action).

WKR Weber discloses molding materials based on partly aromatic <sup>polyamides</sup> ~~polyamides~~ comprising (a) partly aromatic copolyamide, (b) fibrous or particulate fillers and (c) impact modifiers (abstract).

WKR Suitable fillers are described in col. 7, line 65 to col. 8, line 20. Suitable impact modifiers are listed in col 8, lines 21-55. <sup>One</sup> ~~One~~ such impact modifiers <sup>is</sup> ~~is~~ ethylene/propylene/diene/monomer (encompassed by instant claim 4). Amount of filler varies <sup>from</sup> ~~from~~ 0-60% by wt while that of impact modifier from 0-40% by wt. Therefore it is seen that these respective amounts of filler and modifier satisfy the (claimed) ratio of M/T = 2.0 to 6.5.

Weber does not disclose melting point of polyamide and the melt viscosity of the composition.

According to Paschke who discloses blends similar to the ones used for materials of Weber, melting points of polyamide are generally about 290°C (col. 1, lines 37-39).

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Therefore it would have been obvious to one that polyamides of Weber have a melting point of at least 290°C. Since the prior art (viz. Weber) discloses a composition which reads on the instantly claimed one, it is reasonable to conclude that the composition of Weber inherently possesses the claimed melt viscosity unless proved otherwise.

*UKR* Desio discloses polyph~~th~~thalamide blends comprising polyphthalamides, impact modifiers and fillers (col. 3, line 45 to col. 8, line 29; col. 8 lines 30-40); col 12, lines 12-55). Amounts of filler and impact - modifier satisfy the (claimed) limitation of the ratio of filler to modifier.

*UKR* Desio does not disclose melting <sup>point</sup> ~~point~~ of polyamide and melt viscosity of the composition.

In view of the disclosure of Paschke (which is summarized earlier) it would have been that composition of Desio meets the (claimed) limitations of melting point & melt viscosity.

5. The disclosure is objected to because of the following informalities: Word "modifier" is needed after "impact" in line 4 of claim 1. Additionally it is necessary to mention what letters M *UKR* & T stand for, in claim 1.

Appropriate correction is required.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to U.K. Rajguru whose telephone number is (703) 308-3224. The examiner can normally be reached on Monday -- Friday from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (703) 308-2462. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



U.K. Rajguru/om  
June 21, 2000



James J. Seidleck  
Supervisory Patent Examiner  
Technology Center 1700